

# **EXHIBIT 3**

1 UNITED STATES DISTRICT COURT  
2 FOR THE EASTERN DISTRICT OF PENNSYLVANIA  
3  
4 FELICE DENNISON and KEITH )  
DENNISON, husband and wife, )  
5 and as Next Friend of D.D., )  
a Minor, )  
6 ) Civil Action  
Plaintiffs, ) 02:13-CV-00593 CMR  
7 )  
vs. )  
8 )  
PFIZER INC., )  
9 )  
Defendant. )

10  
11

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

12  
13  
14

- - -  
WEDNESDAY, MARCH 5, 2014  
- - -

15 VIDEOTAPED DEPOSITION OF BILIANA DARZEV, M.D.,  
16 held at 653 North Town Center Drive, Suite 300,  
17 Las Vegas, Nevada, commencing at 5:38 p.m., on the  
18 above date, before Janet C. Trimmer, NV CCR 864.

19  
20

- - -

21  
22

23 GOLKOW TECHNOLOGIES, INC.  
24 phone 877.370.3377 I fax 917-591-5672  
25 deps@golkow.com

1 A P P E A R A N C E S

2

3 FOR THE PLAINTIFFS:

4 REILLY POZNER, LLP

BY: JOSEPH J. ZONIES, ESQ.

5 SHEA SHAVER

1900 Sixteenth Street

6 Suite 1700

Denver, Colorado 80202

7 (303) 893-6100

jzonies@rplaw.com

8 sshaver@rplaw.com

9

FOR THE DEFENDANT:

10

SHOOK, HARDY & BACON, LLP

11 BY: CHRIS A. JOHNSON, ESQ.

One Montgomery

12 Suite 2700

San Francisco, California 94101-4505

13 (415) 544-1900

cjohnson@shb.com

14

15 For the DEPONENT:

16 BONNE BRIDGES MUELLER O'KEEFE & NICHOLS

BY: LAURA LUCERO, ESQ.

17 3441 South Eastern Avenue

Suite 402

18 Las Vegas, Nevada 89169-3314

(702) 696-7402

19 llucero@bonnebridges.com

20

21 VIDEOGRAPHER:

22 JIM LOPEZ

23

24 ALSO PRESENT:

25 T.J. LOEBBAKA, Trial Tech Consultant

1 Q. So I do have that.

2 Do you know if in '03 or '04 -- let's limit  
3 it to '03. In 2003, do you know any country that said  
4 Zolofit causes birth defects if taken by pregnant  
5 women?

6 A. No.

7 Q. Has plaintiffs' counsel shown you any  
8 documents saying any country in 2003 or 2004 had  
9 determined that using Zolofit by pregnant women causes  
10 birth defects?

11 MR. ZONIES: Object to the form.

12 THE WITNESS: I was shown records. I don't  
13 recall which year those were.

14 BY MR. JOHNSON:

15 Q. Okay. Let me -- let me step back a second.

16 Before the deposition today you met with  
17 plaintiffs' counsel; is that correct?

18 A. Correct.

19 Q. And that was for about a half-hour, would you  
20 say?

21 A. Yes.

22 Q. Had you talked with them prior to today?

23 A. No.

24 Q. Okay. And they came in and showed you what I  
25 understand is a group of documents?

1 A. Yes.

2 Q. Were you provided all of those documents?

3 A. I was shown those documents, yes.

4 Q. I mean, were you given a copy of those?

5 A. No.

6 Q. Okay. Were all of those reviewed in your  
7 exam by plaintiffs' counsel on the record?

8 A. Today?

9 Q. Yes. In other words --

10 A. Yes.

11 Q. -- everything that they showed you in the  
12 meeting did they show on the board today?

13 A. Yes, they did.

14 Q. There were -- were there any other documents  
15 that they showed to you that weren't -- that they  
16 didn't show on the board during your examination on  
17 the record?

18 A. No.

19 Q. Okay. So it was just those three exhibits,  
20 the U.K. PDR --

21 A. Ireland, U.K.

22 Q. Yeah.

23 A. I -- that's all I recall.

24 What was the third one?

25 Q. And the medical records.

1 A. And the medical records; correct.

2 Q. Okay. The three pages that I hadn't seen  
3 before, had you seen those prior to today?

4 A. No.

5 Q. Did you receive records from your old  
6 practice that's called Canyon Trails? Is that right?

7 A. No. They stayed at Canyon Trails.

8 Q. Okay. So prior to today, you hadn't seen any  
9 records from Canyon Trails; is that fair?

10 A. I received records from your office and from  
11 plaintiffs' office, and that's how I know my records  
12 from Canyon Trails indicate that I saw her.

13 But I did not have those three records faxed  
14 to me or e-mailed to me until today.

15 Q. Okay. And plaintiffs gave you a copy of  
16 those; is that correct?

17 A. Correct.

18 Q. Okay. I should say plaintiffs' counsel.  
19 Sorry.

20 So other than the information from '98, you  
21 don't have any information that any other country has  
22 said -- I'm sorry -- any public health authority in  
23 any other country has said that Zolofit causes birth  
24 defects in -- if given to pregnant women; correct?

25 MR. ZONIES: Object to the form.

1 I, the undersigned, a Certified Shorthand  
2 Reporter of the States of Nevada and California,  
3 Registered Professional Reporter, and Certified  
4 Realtime Reporter, do hereby certify:

5 That the foregoing proceedings were taken  
6 before me at the time and place herein set forth; that  
7 any witnesses in the foregoing proceedings, prior to  
8 testifying, were duly sworn; that a record of the  
9 proceedings was made by me using machine shorthand  
10 which was thereafter transcribed under my direction;  
11 that the foregoing transcript is a true record of the  
12 testimony given.

13 Further, that before completion of the  
14 proceedings, review of the transcript was requested.

15 I further certify I am neither financially  
16 interested in the action nor a relative or employee  
17 of any attorney or party to this action.

18 IN WITNESS WHEREOF, I have this date  
19 subscribed my name.

20 Dated: 03-14-2014

21

22

23

24

\_\_\_\_\_  
JANET C. TRIMMER, RPR, CRR

NV CCR No. 864, CA CSR 4008

25